

[APPEARANCES LISTED ON SIGNATURE PAGE]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

BRIDGELUX, INC.,

Plaintiff/Counterclaim
Defendant

v.

CREE, INC.,

Defendant/Counterclaim
Plaintiff.

Case No. 5:08-mc-80029 RMW (PVT)

**STIPULATED CONTINUATION OF
HEARING DATE FOR THIRD PARTY
PHILIPS LUMILEDS LIGHTING
COMPANY LLC'S MOTION TO
QUASH OR MODIFY SUBPOENAS
SERVED BY CREE, INC.;
SUPPORTING DECLARATION;
[PROPOSED] ORDER**

Honorable Ronald M. Whyte

1 This matter relates to a motion to quash a subpoena served in this district as part of
2 a patent litigation currently pending in the Eastern District of Texas. The subpoena was served by
3 Cree, Inc. on third-party Philips Lumileds Lighting Co. Pursuant to Civil Local Rule 6-2, the
4 parties have met and conferred, and agree that a continuation of the hearing date is desirable. A
5 continuation will allow the parties to further meet and confer. It will also allow coordination with
6 another motion to quash the same subpoena that was filed in the San Francisco division of this
7 District by BridgeLux, Inc., the plaintiff in the underlying patent litigation in Texas. That motion
8 to quash is Case No. C 08-80028 Misc JSW (EDL). It is currently pending before Magistrate
9 Judge Elizabeth Laporte and is set for hearing on April 22, 2008.

10 Accordingly, the parties hereby stipulate that, with the Court's permission, the
11 current hearing date of April 11, 2008, be continued to April 22, 2008 or as soon thereafter as is
12 convenient for the Court, such that it can be briefed and heard on the same schedule as the
13 parallel motion to quash pending before Judge Laporte.

14 There have not been any prior modifications to the hearing date for this Motion.
15 Counsel for Cree represents that the continuation will not have any effect on the schedule for this
16 case, which is pending in the Eastern District of Texas, and not in this district.
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2 Dated: March 21, 2008

/s/ Scott D. Stimpson
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Attorney for Third Party
PHILIPS LUMILEDS LIGHTING CO. LLC

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15 Dated: March 21, 2008

/s/ Nicholas A. Brown
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Attorneys for Defendant
CREE, INC.

SUPPORTING DECLARATION OF NICHOLAS A. BROWN

I, Nicholas A. Brown, declare as follows:

1. I am an attorney at the firm of Weil, Gotshal, and Manges L.L.P., attorneys of record for Defendant Cree, Inc. The matters referred to in this declaration are based on my personal knowledge and if called as a witness I could, and would, testify competently to those matters.

2. The factual representations made above in the above Stipulation are true.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed on March 21, 2008 at Redwood Shores, California.

/s/ Nicholas A. Brown
Nicholas A.. Brown

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated:

The Honorable Patricia V. Trumbull
U.S. District Court Magistrate Judge